

REMARKS

Claims 1, 18 and 16 are rejected under 35 U.S.C. 102(e) and Claims 1-20 are rejected under 35 U.S.C. 102(b). Reconsideration of this rejection is respectfully requested in view of the foregoing amendments to the claims and the following remarks.

Rochon, et al. is concerned with a cleaning composition and not a rinse-aid. The rinse-aid in the claimed composition functions much differently than a detergent in that it leaves a coating on the dishware that prevents soil from binding to the plate after cleaning. Rochon, et al. discloses a cleaning composition in an amount of protein in the range of 0.00005-0.5. In the claimed composition much higher levels of protein are involved such as 0.5-30%. Claim 1 is amended to recite that the bio-polypeptide is present in an amount to prevent starch build-up. This is nowhere taught or suggested by Rochon, et al.

Concerning Claims 18 and 16 (applicants assume that 8 was intended rather than 18), these method claims distinguish over Rochon, et al. in that this reference is concerned with a cleaning composition and therefore does not teach or suggest the method of preventing starch build-up by a means of using a rinse-aid composition containing a bio-polypeptide.

Mermelstein, et al. does not teach or suggest the use of a polypeptide in a rinse-aid as defined in Claims 1, 3-8, 10-16, 18-20. The only protein mentioned is gelatin and that is employed to impart a shine to the dishes. Claims 1 and 2 are amended to no longer include gelatin. No mention is made in this reference of easier soil removal or reduced soil build-up. This is to be understood as Mermelstein, et al. is concerned with a dishwashing composition and not a rinse-aid composition.

Spandini, et al. is not seen as teaching or suggesting the composition and method as defined in Claims 1-2, 4-9, 11-17, 19-20. Spandini, et al. discloses a liquid dishwashing

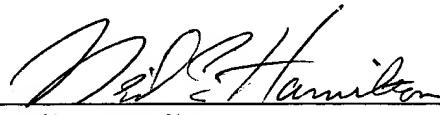
detergent composition and not a rinse-aid. The defined rinse-aid functions in a much different manner than a detergent. No mention is made of easier cleaning or reduced soil build-up.

Aronson, et al. is also concerned only with a liquid detergent composition and not a rinse-aid.

Accordingly, the claims under consideration are deemed to be patentable from the prior art.

In view of the foregoing amendments and remarks, this application is believed to be in condition for allowance. If it is not in such condition, the examiner is respectfully requested to call applicants' attorney for a telephone interview.

Respectfully submitted,

By: 
Neil E. Hamilton
Registration No. 19,869

Attorney Docket No.: C6607 US

Correspondence Address:

JohnsonDiversey, Inc.
8310 16th Street - M/S 509
P.O. Box 902
Sturtevant, WI 53177-0902
Telephone Number: (262) 631-4583

Customer No. 24804